

07/06/01

A/Reissue

07/05/01
35796 U.S. PTO

Please type a plus sign (+) inside this box ☒

PTO/SB/50 (02-01)
Approved for use through 01/31/2004. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REISSUE PATENT APPLICATION TRANSMITTAL

| | | |
|--|--|---------------|
| Address to: Assistant Commissioner for Patents Box Reissue Washington, DC 20231 | Attorney Docket No. | 95-1514 |
| | First Named Inventor | R. Beelman |
| | Original Patent Number | 5,919,507 |
| | Original Patent Issue Date (Month/Day/Year) | 07/06/99 |
| | Express Mail Label No. | ET295770948US |

APPLICATION FOR REISSUE OF: ☒ **Utility Patent** ☐ **Design Patent** ☐ **Plant Patent**
(Check applicable box)

| APPLICATION ELEMENTS (37 CFR 1.173) | ACCOMPANYING APPLICATION PARTS |
|---|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (PTO/SB/ 56) (Submit an original, and a duplicate for fee processing) | 10. <input checked="" type="checkbox"/> Statement of status and support for all changes to the claims. See 37 CFR 1.173 (c). |
| 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | 11. <input checked="" type="checkbox"/> Original U.S. Patent for surrender <input checked="" type="checkbox"/> Ribboned Original Patent Grant <input type="checkbox"/> Statement of Loss (PTO/SB/55) |
| 3. <input checked="" type="checkbox"/> Specification and Claims in double column copy of patent format (amended, if appropriate) | 12. <input type="checkbox"/> Foreign Priority Claim (35 U.S.C. 119) (if applicable) |
| 4. <input checked="" type="checkbox"/> Drawing(s) (proposed amendments, if appropriate) | 13. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations |
| 5. <input checked="" type="checkbox"/> Reissue Oath/Declaration (original or copy) (37 C.F.R. § 1.175) (PTO/SB/51 or 52) | 14. <input type="checkbox"/> English Translation of Reissue Oath/Declaration (if applicable) |
| 6. <input checked="" type="checkbox"/> Power of Attorney | 15. <input checked="" type="checkbox"/> Preliminary Amendment |
| 7. Original U.S. Patent currently assigned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If Yes, check applicable box(es)) <input checked="" type="checkbox"/> Written Consent of all Assignees (PTO/SB/53) <input checked="" type="checkbox"/> 37 C.F.R. § 3.73(b) Statement (PTO/SB/96) | 16. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| 8. <input type="checkbox"/> CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table | 17. Other: <u>1 Express Mail Certificate</u> |
| 9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all of the following are necessary) a. <input type="checkbox"/> Computer Readable Form (CFR) b. Specification Sequence Listing on: i <input type="checkbox"/> CD-ROM (2 copies) or CD-R (2 copies); or ii <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies | |

18. CORRESPONDENCE ADDRESS

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| <input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) | | <input checked="" type="checkbox"/> Correspondence address below | |
| Name | J. P. Blasko, Esquire | | |
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| | (609) 895-6639 | | |

| | | | |
|--------------------------|------------------------|--|--------------|
| NAME (Print/Type) | Bamela A. Ruest | Registration No. (Attorney/Agent) | 40,795 |
| Signature | <i>Bamela A. Ruest</i> | Date | July 5, 2001 |

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REISSUE APPLICATION FEE TRANSMITTAL FORM

Docket Number (Optional) 95-1514

Claims as Filed - Part 1

| Claims in Patent | | Number Filed in Reissue Application | (3) Number Extra | Small Entity | | Other than a Small Entity | |
|----------------------------|--|-------------------------------------|---------------------|--------------|-------|---------------------------|--------|
| | | | | Rate | Fee | Rate | Fee |
| (A) 12 | Total Claims (37 CFR 1.16(j)) | (B) 37 | **** 5 = | x \$ 9 = | 45 | or | x \$ = |
| (C) 1 | Independent claims (37 CFR 1.16(i)) | (D) 2 | 1 = | x \$ 40 = | 40 | | x \$ = |
| Basic Fee (37 CFR 1.16(h)) | | | | | \$355 | | \$ |
| Total Filing Fee | | | | | \$440 | OR | \$ |

Claims as Amended - Part 2

| | (1) Claims Remaining After Amendment | | (2) Highest Number Previously Paid For | (3) Extra Claims Present | Small Entity | | Other than a Small Entity | |
|-------------------------------------|---|-------|---|-----------------------------|--------------|-----|---------------------------|-----|
| | | | | | Rate | Fee | Rate | Fee |
| Total Claims (37 CFR 1.16(j)) | *** | MINUS | ** | * = | x \$ = | | x \$ = | |
| Independent Claims (37 CFR 1.16(i)) | *** | MINUS | ***** | = | x \$ = | | x \$ = | |
| Total Additional Fee | | | | | \$ | OR | \$ | |

* If the entry in (D) is less than the entry in (C), Write "0" in column 3.

** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.

*** After any cancellation of claims.

**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).

***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).

☒ Applicant claims small entity status. See 37 CFR 1.27.

☒ Please charge Deposit Account No. 50-1740 in the amount of \$449.00.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-1740.
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ to cover the filing / additional fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

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July 5, 2001
Date

Pamela A. Ruest
Signature of Applicant, Attorney or Agent of Record

Pamela A. Ruest
Typed or printed name

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Practitioner's Docket No.: 95-1514

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: R. Beelman, et al.

Serial No.:

Group No.:

Filed: July 5, 2001

Examiner:

For: PRESERVATION COMPOUNDS AND METHODS FOR MUSHROOMS

Assistant Commissioner for Patents
Washington D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number: ET295770948US

Date of Deposit: July 5, 2001

I hereby state that the following *attached* paper or fee:

- 1 Reissue Patent Application Transmittal
- 1 Fee Transmittal (in duplicate)
- 1 Combined Declaration and Power of Attorney for Reissue
- 1 Small Entity Statement
- 13 Pages of Specifications
- 19 Sheets of Drawings
- 1 Written Consent of All Assignees
- 1 37 C.F.R. Sec. 3.73(b) Statement
- 1 Ribbed Original U.S. Patent
- 1 Preliminary Amendment
- 1 Statement of Claim Status and Support
- 1 Return Postcard

Is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Diane Swanger
Typed or printed name of person mailing paper or fee

Diane Swanger
Signature of person mailing paper or fee

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail". Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings, it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label is placed.

(Express Mail Certificate [8-3])

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Reissue Application of)
Beelman et al.)
U.S. Patent No. 5,919,507)
Issued July 6, 1999)
Atty Docket No. 95-1514)

STATEMENT OF CLAIM STATUS AND SUPPORT

Following entry of the preliminary amendment filed herewith, claims 1 through 37 are pending in the above-captioned reissue application. No change has been made to original claims 1-8 of US Patent No. 5,919,507. New claims 9 through 37 have been added.

Claim 9 is generally supported by the specification at column 1, lines 9-15; column 2, lines 51-54; column 2, line 57 through column 3, line 12; column 3, lines 47-53; column 5, lines 37-42; column 8, line 59 through column 10, line 21; column 12, line 65 through column 16, line 7; Table 1; Tables 5-9; Appendix Tables 1-3; and data set forth in Figs. 1-20. A broadening of the pH range set forth in claim to at least 9.0 is supported at column 1, line 9-15, (pH 9.0 or above), column 8, lines 59-62 (pH 11 or higher); and column 12, line 65 through column 13, line 34. The pH range of 10.5 to 11 claimed in claim 10 is supported at column 2, lines 51-53; and column 3, lines 21-22.

Claim 11 to the use of a browning inhibitor in the pH neutralizing solution is supported at, inter alia, column 2, line 66 through column 3, line 2; and column 10, line 25 through column 11, line 61. The use of erythorbic acid and sodium erythorbate, either alone or in combination, as set forth in claims 12-15 is supported at column 8, line 59 through column 10, line 21, and

Table 1. Column 9, lines 9-14 supports the use of these compositions alone in the pH-neutralizing solution.

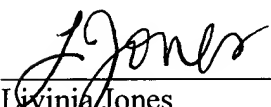
Claims 16 through 21 and the use of EDTA and calcium chloride in the pH-neutralizing solution is supported at column 10, line 22 through column 11, line 61, and Tables 3 and 4.

Claim 22 and the use of water as the pH-neutralizing solution is supported, inter alia, at column 9, lines 4-8.

Claims 23 through 37 and the use of sodium bicarbonate and tribasic sodium phosphate in the antimicrobial buffer solution is supported at column 8, line 56 through column 10, line 21; column 13, line 50 through column 14, line 11; and Appendix Tables 1-3.

It will be understood that other portions of the specification not particularly set forth in this statement may also support the newly added claims.

Respectfully submitted,



Livinia Jones
Attorney for Applicants

Date: July 5/01

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